

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

WILLIAM A. ROLLINS,

Plaintiff,

v.

COMMANDER REED, et al.,

Defendants.

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CIVIL ACTION NO.: 1:08-CV-33-MHT

MOTION FOR EXTENSION OF TIME

COME NOW, Defendants in the above-styled cause, and respectfully request a sixteen (16) day extension through and until May 1, 2008, in which to file their Special Report and Answer with this court, and as grounds therefore state as follows:

1. That Defendants' Special Report and Answer is currently due in this case on April 15, 2008.
2. Yesterday, April 14, 2008, it was first brought to the undersigned's attention that defendant, Sergeant Carl Kirksey, who is the only named defendant with first hand knowledge of the facts of this case, has been called to temporary active military duty for annual training. A redacted copy of Mr. Kirksey's military orders regarding same are attached hereto as Exhibit "A" which is incorporated herein by reference as if fully set forth. (Certain personal information has been redacted from Exhibit "A").
3. That due to the above-mentioned defendant being out of town, the undersigned is unable to meet with him to finalize and execute his affidavit for use with the Special Report and Answer to be filed in this case.

4. Defendant Kirksey is expected to return to work at the Houston County Jail on Monday, April 28, 2008.

WHEREFORE, Defendants respectfully request a sixteen (16) day extension through and until May 1, 2008, in which to file their Special Report and Answer in this case.

Dated this 15th day of April, 2008.

Respectfully submitted,

s/Gary C. Sherrer

GARY C. SHERRER

Bar Number: SHE016

Attorney for Defendants

OF COUNSEL

SHERRER, JONES & TERRY, P.C.
335 West Main Street
Dothan, Alabama 36301
Phone: (334) 678-0100
Fax: (334) 678-0900
E-mail: gary@sherrerjones.com

CERTIFICATE OF SERVICE

I, Gary C. Sherrer, hereby certify that I have served a copy of the foregoing Motion for Extension of Time upon William A. Rollins #161962, c/o Ventress Correctional Facility, P.O. Box 767, Clayton, Alabama 36016, by placing a copy of the same in the U.S. Mail, postage prepaid and properly addressed on this 15th day of April, 2008.

s/Gary C. Sherrer

OF COUNSEL

STATE MILITARY DEPARTMENT
JOINT FORCE HEADQUARTERS ALABAMA NATIONAL GUARD
1720 CONGRESSMAN WILLIAM L. DICKINSON DRIVE
MONTGOMERY, ALABAMA 36109-0711

ORDERS 087-030

27 March 2008

KIRKSEY CARL W [REDACTED] SGT 900 MAINT CO
(XBNAA-316) 8044 US HWY 231 S BRUNDIDGE AL 36010

You are ordered to annual training (AT) for the period shown. Upon completion of the period of annual training you will return to place where entered on annual training and are released from such duty.

Period (TDY) : 12 April 2008 - 26 April 2008
Report to: ARMORY LOC, 8044 HWY 231, BRUNDIDGE, AL 36010
Reporting time/date: NLT 0700 - 12 APRIL 2008
Purpose: ANNUAL TRAINING SUPPORT FMS 25
Additional instructions:

- (a) Traveler does not have a Government Travel Card and must use the Centrally Billed Account to purchase transportation tickets.
- (b) POV AUTHORIZED. MEMBER ENTITLED TO PAYMENT OF ONE ROUND TRIP MILEAGE FROM HOME TO DUTY STATION. DD FORM 1351-2 (TVL VOUCHER) MUST BE FILED TO CLAIM ROUND TRIP MILEAGE. MILEAGE ENTITLEMENT CANNOT BE PAID BY MILITARY PAY SECTION.
- (c) INDIVIDUAL RESIDES WITHIN COMMUTING DISTANCE. NO PER DIEM AUTHORIZED.
- (d) PAYROLL WILL BE SUBMITTED BY THE MEMBER'S UNIT OF ASSIGNMENT.
- (e) SM is authorized A travel advance - GTC is closed.

FOR ARMY USE

Auth: 32 USC 502a & NGB TNG AUTH AL-01

HOR: [REDACTED] HEADLAND AL36345

APC DJMS-RC: A1E111 TDC 111 Year-Round AT

APC STANFINS Pay: AW32 APC STANFINS Travel: AW32

Acct clas:

Enl pay/alw: 2182060 18-1001 P1A31.0200-1198/1199/1210/1250 S01079 BAO XBNA

Enl tvl/pd: 2182060 18-1001 P1A31.0200-21T2 /22NZ/2579 S01079 BAO XBNA

SRN: KIR02610870300 JON/CCC: AW3244/44AW32 ' Cost Estimate: \$ 2,073

PEBD: 810124

Federal WE: M00

State tax code: AL

Marital status / Number of dependents: [REDACTED]

Type of incentive pay: NONE

Type of special pay: NONE

Scty cl: SECRET

Format: 296

FOR THE ADJUTANT GENERAL:

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 // HQ, ALARNG //
 // OFFICIAL //
 //////////////////////////////////////
 SAMUEL I. EDGE
 COL, GS, AL ARNG
 DCSPER

DISTRIBUTION:

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EXHIBIT A